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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/717,097	11/19/2003	Ravi Shankarnarayan Adapathya	RPS9-2003-0183US1	7297
61755	7590	07/13/2007		
Kunzler & McKenzie 8 EAST BROADWAY, SUITE 600 SALT LAKE CITY, UT 84111			EXAMINER SHENG, TOM V	
			ART UNIT 2629	PAPER NUMBER
			MAIL DATE 07/13/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	Application No. 10/717,097	Applicant(s) ADAPATHYA ET AL.	
	Examiner Tom V. Sheng	Art Unit 2629	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 25 April 2007.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-4, 10, 12, 14-18, 24 and 26-30 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4, 10, 12, 14-18, 24 and 26-30 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-4, 10, 12, 14-18, 24, 26-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Oross et al. (US 7,090,368 B2), hereinafter Oross.

As for claim 1 and associated claims 10, 15, 24 and 29, Oross teaches an apparatus for demarking a control object of a notebook computer, the apparatus comprising:

a compound (a single layer of UV reactive material 144; fig. 5) applied to a control object (key 134) to form a designator (the indicia 136') upon the control object (column 4, lines 45-48), the compound configured to react to visible and non-visible light by radiating visible light (indicia 136' would be in color under visible light and glow under UV light; column 4; lines 48-56) and wherein the designator distinctly identifies the control object (each indicia 136' is different and corresponds to a function; fig. 2; column 2, lines 61-63); and

a non-visible light source (a pair of UV light sources 152; fig. 1) mounted on a display of the notebook computer (mounted on the display housing 104; column 5, lines 8-10), directed to the control object from above (as shown), and configured to directly radiate the compound (direct UV light onto the keys 134) so that the compound radiates

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visible light in the form of the designator (indicia 136' becomes visible under the UV light).

Moreover, Oross teaches that it is useful in situation where the ambient light is not sufficient (column 5, lines 10-14). However, Oross does not teach that the visible light is of low intensity so as not to distract a user and nearby people.

On the other hand, one of ordinary skill in the art would recognize that the radiated light from the indicia 136' should be sufficient for reading yet does not need to have high brightness because first it is unnecessary and distracting to other people and second it also increase the power consumption of the light sources.

Therefore, it would have been obvious to apply just sufficient UV lighting to the keys 134 such that the indicia 136' would radiates low intensity to an user that is sufficient yet not overly bright to distract other people and is further power saving, when used in low ambient light or a dim setting.

As for claim 14, Oross teaches a notebook computer (fig. 1), the notebook comprising:

- a plurality of keys (keys 134; fig. 2);

- a compound (UV reactive material; fig. 5) applied to each key to form a designator (as indicia 136'), the compound reactive to visible and non-visible light, wherein the compound reacts to visible and non-visible light by radiating visible light and the designator distinctly identifies the key (visible under both visible light and UV light; column 4, lines 45-56); and

- a display (display housing 104 with display 112 and UV light sources 152)

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configured to radiate visible light and non-visible light on the keys from above (visible light from display 112 and UV light from UV light sources 152), wherein the non-visible light reacts with the compound (indicia 156' glows under UV light), demarking the keys by radiating visible light (indicia 136' becomes visible under the UV light; column 5, lines 8-17).

However, Oross does not teach radiating visible of low intensity so as not to distract a user and nearby people. On the other hand, one of ordinary skill in the art would recognize that the radiated light from the indicia 136' should be sufficient for reading yet does not need to have high brightness because first it is unnecessary and distracting to other people and second it also increase the power consumption of the light sources.

Therefore, it would have been obvious to apply just sufficient UV lighting to the keys 134 such that the indicia 136' would radiates low intensity to an user that is sufficient yet not overly bright to distract other people and is further power saving, when used in low ambient light or a dim setting.

As for claims 2-3, 12, 16-17, 26 and 28, Oross teaching using UV light emitting diodes for the UV light sources 152 (column 5, lines 14-17).

As for claims 4, 18 and 27, Oross teaches using a single layer of UV reactive material 144 on the indicia 136' (fig. 5).

Claim 30 is rejected based on rejections of claims 2-4.

***Response to Arguments***

3. Applicant's arguments with respect to claims 1-4, 10, 12, 14-18, 24, 26-30 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tom V. Sheng whose telephone number is (571) 272-7684. The examiner can normally be reached on 9:00am - 6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Amr Awad can be reached on (571) 272-7764. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Tom Sheng

AMR A. AWAD  
SUPERVISORY PATENT EXAMINER  
